

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Raymond LEE, et al.

Application No.: 09/770,984

Filed: January 26, 2001

: Customer Number: 20277

: Confirmation Number: 7541

: Group Art Unit: 3629

: Allowed: May 19, 2005

: Examiner: Jonathan P. Ouellette

For: ADDRESS LEARNING SYSTEM AND METHOD FOR USING SAME

**COMMENTS RESPONSIVE TO STATEMENT OF
REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 104(e)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance accompanied the May 19, 2005, Notice of Allowability regarding the above-identified application. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning.

In sections 2 and 3 of the detailed Action, the Examiner withdrew the art rejections in view of Applicants amendments, and then, in section number 4 of the Action, the Examiner acknowledges that Applicants' arguments and amendments "have been ... found to be persuasive." Further comment should have been unnecessary.

Beginning in section 7 of the detailed Action, however, the Statement points to certain features with respect to various claims and asserts that those features are not taught by the prior art. The wording of the Statement on these points, however, does not precisely track the actual claim language and therefore does not accurately reflect the scope of the properly construed patentable claims. Consider the discussion of claim 1 as an example. The Statement (top of page 3) refers to updates of the database "with the unmatched or unused data ..." The amendment of claim 1 filed April 19, 2005, to which

the Notice of Allowance is responsive, changed the relevant language of claim 1. In its allowed form, the claim actually refers to "updating the database with the set of correlated data ..."

The patentable language of the allowed claims and Applicants' positions on patentability are already of record in this case. The inaccurate paraphrasing of claim features in the Statement may cause confusion. The Statement should not be viewed as suggesting any claim interpretation or estoppel with regard to any of the allowed claims, particularly to the extent if any that the Statement may differ from the proper construction of the claim language or from Applicants' positions on patentability.

It is respectfully submitted that the allowed claims should be entitled to the broadest reasonable interpretation and to the broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and Applicants' prosecution of the claims, without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Brian K. Seidleck
Registration No. 51,321

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BKS:cg
Facsimile: 202.756.8087
Date: August 8, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**



PATENT
Attorney Docket No. 5384/55102
Attorney Docket No. 63288-0259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lee et al.)	
)	Art Unit: 3629
Serial No.:	09/770,984)	
)	Examiner: J. Ouellette
Filed:	January 26, 2001)	
)	
For:	ADDRESS LEARNING SYSTEM)	
	AND METHOD FOR USING SAME)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

STATEMENT REGARDING INTERVIEW SUMMARY FORM

Dear Sir:

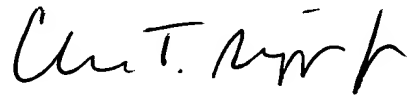
This Statement is in response to the Interview Summary Form attached to the Notice of Allowability for the above identified Application. The undersigned has confirmed with Examiner Ouellette in a teleconference on July 14, 2005, that Examiner Ouellette has waived the requirement to file a Statement of the Substance of the Interview.

Nonetheless, Applicants state that the subject telephonic interview was held in response to the proposed amendment faxed March 2, 2005 which was to be entered by way of Examiner's Amendment to place the Application in condition for allowance. In that telephonic interview, Examiner Ouellette indicated that he decided not to enter

the proposed amendment in the form which was faxed March 2, 2005. As a result, Applicants submitted, for clarification purposes, slightly revised amendments by way of the Amendment filed on April 19, 2005, which placed this Application in condition for allowance.

Respectfully submitted,

PATULA & ASSOCIATES, P.C.



Charles T. Riggs Jr.
Reg. No. 37,430
Attorney for Applicants

PATULA & ASSOCIATES, P.C.
116 S. Michigan Ave., 14th Floor
Chicago, Illinois 60603
(312) 201-8220
Filed: August 8, 2005
05C40